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EXAMINER

SALL, EL HADJI MALICK

ART UNIT PAPER NUMBER

2157

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,293

Applicant(s)

COFFY ET AL.

Examiner

El Hadji M. Sall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/15/05; 12/05/03; 9/19/03; 9/09/02
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. This action is responsive to the application filed on June 28, 2002. Claims 1-22 are pending. Claims 1-22 represent system and method for selecting an external user interface using special information.

2. ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 7, 8, 10, 11, 14 and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Theimer et al. U.S. 5,812,865.

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Theimer teaches the invention as claimed including specifying and establishing communication data paths between particular media devices in multiple media device computing systems based on context of a user or users (see abstract).

As to claims 1 and 15, Theimer teaches a method and a system for selecting an external processor as a user interface to a machine comprising:

accessing control grid position information for the machine (column 6, lines 25-32, Theimer discloses locating moving users and devices (i.e. by locating moving users and devices, inherently, "accessing control grid (figure 1, item 11) information for the machine" occurs));

obtaining position information for the external processor (column 8, lines 54-67, Theimer discloses user's agent collects location information about its associated user from various sources); and

using the control grid position information and the external processor position information in determining whether an external processor is in the control grid of a machine (column 8, lines 54-67, Theimer discloses synthesizes that information into one opinion about where the user currently is).

As to claim 2, Theimer teaches the method of claim 1 wherein:

the determination of whether an external processor is in the control grid is used to make a control transfer decision (column 8, lines 54-67, Theimer discloses

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location information sources could include sighting information from the Active Badges, from the Tab agents of the Tabs the user is currently carrying, from monitoring the input activity on various computer terminals, and from a variety of other sources (i.e. location information sources inherently "is used to make a control transfer decision"))).

As to claim 3, Theimer teaches the method of claim 1 further comprising: obtaining authentication information for an external processor (column 21, lines 23-26, Theimer discloses Authentication controls could be added so that the Badge Server only returns information about a particular badge ID to a list of authorized clients for that badge ID).

As to claim 4, Theimer teaches the method of claim 3 wherein: the determination of whether an external processor is in the control grid and the authentication information is used to make a control transfer decision (column 8, lines 54-67, Theimer discloses location information sources could include sighting information from the Active Badges, from the Tab agents of the Tabs the user is currently carrying, from monitoring the input activity on various computer terminals, and from a variety of other sources (i.e. location information sources inherently "is used to make a control transfer decision")); column 21, lines 23-26, Theimer discloses Authentication controls could be added so that the Badge

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Server only returns information about a particular badge ID to a list of authorized clients for that badge ID).

As to claim 5, Theimer teaches the method of claim 4 wherein: the authentication information is obtained from a user of the external processor (column 26, lines 52-54, Theimer discloses such identity and authentication information may be contained in a user's Active Badge).

As to claim 7, Theimer teaches the method of claim 1 further comprising:

Accessing control grid position information for a second machine (column 6, lines 25-32, Theimer discloses locating moving users and devices (i.e. by locating moving users and devices, inherently, "accessing control grid (figure 1, item 11) information for the machine" occurs));

Obtaining position information for a second external processor (column 8, lines 54-67, Theimer discloses user's agent collects location information about its associated user from various sources); and

Using the control grid position information and the external processor position information in determining whether to give priority of control to the external processor or the second external processor (column 8, lines 54-67, Theimer discloses synthesizes that information into one opinion about where the user currently is; column 26, lines 14-23, Theimer discloses some devices may

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belong to particular users--a workstation in an office, for example, may be thought of as belonging to the user who resides in that office. Such ownership privileges may allow the user highest priority for controlling the resources of that workstation).

As to claim 8, Theimer teaches the method of claim 7 further comprising:

Obtaining hierarchy priority information for the external processor and the second external processor (column 25, lines 13-18, Theimer discloses the priority level (i.e. hierarchal priority may indicate that the accompanying message should be delivered to the user); and

Using the hierarchy priority information in determining whether to give priority of control to the external processor or the second external processor (column 25, lines 33-36, Theimer discloses evaluates the message based on the context of the recipient and the priority of the message, and may determine a display property which indicates how a message should be delivered).

As to claim 10, Theimer teaches the method of claim 1 further comprising:

Obtaining updated position information for the external processor (column 11, lines 48-50); and

Using the updated position information in determining whether to maintain external processor control of the machine (column 11, lines 51-67).

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As to claim 11, Theimer teaches a method for manipulating a file comprising:

Selecting a file with a portable processor using a wireless communications channel (column 4, lines 7-9, Theimer discloses Another aspect of the invention provides a system in which media data paths between users (i.e. user's portable devices and agents (column 8, lines 65-67) may be selected depending upon the context or state of the user or users (i.e. inherently "selecting a file with a portable processor or device using wireless communications channel)); and

Selecting a machine to process the file using position information relating to the portable processor (column 8, lines user's agent collects location information (i.e. equated to "a machine to process the file using position information relating to the portable processor), and user's current location can be sent directly to the user's agent via an RPC).

As to claim 13, Theimer teaches the method of claim 11, further comprising:

Selecting a second machine to process at least a portion of the file using position information relating to the portable processor (column 8, lines user's agent collects location information (i.e. equated to "a machine to process at least a portion of the file using position information relating to the portable processor), and user's current location can be sent directly to the user's agent via an RPC).



As to claim 14, Theimer teaches the method of claim 11 further comprising:

Selecting a first machine to process a portion of the file using position information relating to the portable processor (column 8, lines user's agent collects location information (i.e. equated to "a machine to process at least a portion of the file using position information relating to the portable processor), and user's current location can be sent directly to the user's agent via an RPC); and

Selecting a second machine to process a second portion of the file using position information relating to the portable processor (column 8, lines user's agent collects location information (i.e. equated to "a machine to process at least a portion of the file using position information relating to the portable processor), and user's current location can be sent directly to the user's agent via an RPC);

As to claim 16, Theimer teaches a system for selecting an external processor as a user interface to a machine comprising:

A processor (figure 1, item 26);

A control grid position map data base information for at least one machine connected to the processor (figure 1; column 28, lines 13-23, Theimer discloses UserAgents may control the communication channel, storing communication information for a user during certain states (i.e. "a control grid position map

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database (or UserAgents) information for one machine (figure 1, item 24, 26 or 28) connected to the processor”));

A position information receiver for obtaining position information data for an external processor (column 8, lines 54-67, Theimer discloses user's agent collects location information about its associated user from various sources); and

A processor having processing instructions for using the control grid position map database and the external processor position information in determining whether an external processor is in the control grid of a machine (column 8, lines 54-67, Theimer discloses synthesizes that information into one opinion about where the user currently is).

As to claim 17, Theimer teaches the system of claim 16 wherein:

The receiver for obtaining position information is an indoor positioning system receiver (column 2, lines 11-16, Theimer discloses receivers placed in each room of a building, thereby allowing detection of where each user is currently located).

As to claim 18, Theimer teaches the system of claim 17 wherein:

The indoor positioning system provides relative position data relative to a reference point (column 2, lines 11-16, Theimer discloses the receiver allowing detection of where each user is currently located (i.e. “reference point”)).

**4. Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer et al. U.S. 5,812,865 in view of Gould et al. U.S. 6,920,561.

Theimer teaches the invention substantially as claimed including specifying and establishing communication data paths between particular media devices in multiple media device computing systems based on context of a user or users (see abstract).

As to claim 6, Theimer teaches the method of claim 4.

Theimer fails to teach explicitly the authentication information is obtained from a user of the external processor and includes biometric information.

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However, Gould teaches method and system for enabling free seating using biometrics through a centralized authentication. Gould teaches authenticated biometric information in a computer (column 4, lines 59-61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Theimer in view of Gould to provide the authentication information is obtained from a user of the external processor and includes biometric information. One would be motivated to do so to allow user credentials securely imported without needing an additional identification (see abstract).

6. Claims 9, 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer et al. U.S. 5,812,865 in view of Nagasaka et al. U.S. 6,725,300.

As to claim 9, Theimer teaches the method of claim 1.

Theimer fails to teach explicitly downloading user interface logic data to the external processor.

However, Nagasaka teaches control device for controlling the transmission and receipt of data and a method of determining the transmitter and the receiver of the data, Nagasaka teaches downloading data of the corresponding user interface (column 26, lines 51-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Theimer in view of Nagasaka to provide downloading

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user interface logic data to the external processor. One would be motivated to do so to allow operability of the device control (see abstract).

As to claim 12, Theimer teaches the method of claim 11.

Theimer fails to teach explicitly downloading the file to the portable processor.

However, Nagasaka teaches downloading data of the corresponding user interface (column 26, lines 51-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Theimer in view of Nagasaka to provide downloading the file to the portable processor. One would be motivated to do so to allow operability of the device control (see abstract).

As to claim 20, Theimer teaches the method of claim 9 further comprising:

Theimer fails to teach explicitly downloading user interface logic data to the external processor when the external processor enters the second grid.

However, Nagasaka teaches downloading data of the corresponding user interface (column 26, lines 51-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Theimer in view of Nagasaka to provide downloading user interface logic data to the external processor when the external processor enters the second grid. One would be motivated to do so to allow operability of the device control (see abstract).

7. Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer et al. U.S. 5,812,865 in view of Eslambolchi et al. U.S. 6,808,116 (referred to hereafter as Eslam).

As to claim 19, Theimer teaches the system of claim 20.

Theimer fails to teach explicitly the indoor position system provides absolute latitude and longitude data.

However, Eslam teaches fiber jumpers with data storage method and apparatus. Eslam teaches latitude and longitude information (column 6, line 63).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Theimer in view of Eslam to provide the indoor position system provides absolute latitude and longitude data. One would be motivated to do so to allow easy and automatic integration of traffic information.

As to claim 21, Theimer teaches the system of claim 15.

Theimer fails to teach explicitly the means for obtaining position information comprises an indoor electromagnetic wave positioning system.

However, Eslam teaches electronic magnetic wave positioning (column 2, lines 17-18).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Theimer in view of Eslam to provide the means for

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obtaining position information comprises an indoor electromagnetic wave positioning system. One would be motivated to so to allow the tag to communicate the jumper cable identification information to the radiation unit (see abstract).

8. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer et al. U.S. 5,812,865 in view of Teller et al. U.S. 6,816,437.

As to claim 22, Theimer teaches the system of claim 15.

Theimer fails to teach explicitly means for obtaining position information comprises an ultrasonic positioning system.

However, Teller teaches method and apparatus for determining orientation. Teller teaches an ultrasonic positioning system (column 4, lines 7-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Theimer in view of Teller to provide means for obtaining position information comprises an ultrasonic positioning system. One would be motivated to do so to allow designing of a keyboard that can be made ultra thin.

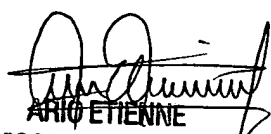
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**9. Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall  
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